

# EXHIBIT A

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*Attorneys for Defendants*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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ERIC SCHIERMEYER, Derivatively on Behalf  
of Nominal Defendant, BLOCKCHAIN GAME  
PARTNERS, INC. D/B/A GALA GAMES,

Plaintiff,

vs.

WRIGHT W. THURSTON and TRUE NORTH  
UNITED INVESTMENTS, LLC,

Defendants,

and

BLOCKCHAIN GAME PARTNERS, INC.  
D/B/A BGP GAMES,

Nominal Defendant.

**DECLARATION OF WRIGHT  
THURSTON IN SUPPORT OF  
TEMPORARY RESTRAINING ORDER**

Case No. 2:23-cv-00589-HCN-DAO

Judge Howard C. Nielson

Magistrate Judge Daphne A. Oberg

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1. I, Wright Thurston, am over the age of 18 and have personal knowledge of the facts set forth in this declaration. If asked to testify, I could and would competently testify thereto.

2. On October 10, 2023, at approximately 1:16 p.m. MDT (less than twenty-four hours after the Court issued its memorandum decision denying his application for a temporary restraining order), I received an email from Eric Schiermeyer (“Schiermeyer”) in his capacity as President of Blockchain Game Partners, Inc. (“BGP”). The email read: “This is a letter regarding Gala Nodes” and attached a letter. A true and accurate copy of the email and letter (together, “Letter”) are attached collectively hereto as **Exhibit 1**.

3. The Letter explains that Schiermeyer has unilaterally turned off approximately 7,000 nodes belonging to True North, which is comprised of eight individual trusts with eight separate beneficiaries, none of which have engaged in any behavior warranting cancellation. Schiermeyer claims to base this action on his own unproven and contested “allegations and representations” in this case. Ex. 1 at 1. Thus, Schiermeyer cites to nothing more than his own lawsuit’s allegations, all of which are yet to be proven through discovery and evidence at this juncture, as justification for turning off True North’s nodes.

4. Schiermeyer further claims that he turned off True North’s nodes because I have (allegedly) breached the Gala Nodes terms of service by “dumping” earned GALA, but I deny this allegation. In fact, I have been transacting with GALA generated by True North’s nodes—as any node-holder is entitled to do—in a manner that is consistent over the last four months including before this lawsuit was filed. The assertion that these transactions constitute “dumping” is simplistic and incorrect as an examination of the underlying blockchain would show. The blockchain would also reveal the hypocrisy of Schiermeyer’s current campaign to strip me of

GALA generated by True North's nodes as it would show a pattern of dumping by BGP (at Schiermeyer's direction) of millions of GALA on nearly a daily basis in recent months.

5. I have not violated the Gala Node terms of service or taken any "new" action since the filing of this lawsuit that would justify Schiermeyer's unilateral decision to shut off True North's nodes. Notably, despite being the owner and operator of the affected nodes, True North is not even mentioned in the Letter. Instead, I have simply defended myself and True North from Schiermeyer's self-help campaign to freeze assets—which benefits him personally and not only harms me and True North, but also the GALA community at large. My efforts to defend myself and True North in the lawsuit and to protect BGP and its shareholders from Schiermeyer's acts of self-dealing and fiduciary breaches do not warrant his vindictive action of disabling True North's nodes without prior adjudication in this Court.

6. As I said above, True North's nodes, which have a value in excess of \$700 million, have been operating for many months and, during this period, these nodes have generated significant amounts of GALA worth over \$1 million per month. By turning these nodes off (within hours of failing to get the temporary restraining order he sought), Schiermeyer has unilaterally changed the status quo and is causing significant ongoing harm to me personally (and True North) by restricting my right to control and monetize True North's nodes. Equally damaging is Schiermeyer's efforts to paint me in a false and defamatory light by releasing the Letter to the GALA community in which I play a significant role as the lead designer and inventor of the underlying blockchain ecosystem.

I declare under penalty of perjury under the laws of the state of Utah and of the United States that the foregoing is true and correct.

DATED: 10/17/2023

/s/ Wright Thurston  
Wright Thurston

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 17 October 2023, a true and correct copy of the foregoing was filed with the Court's electronic filing system and thereby served on counsel of record.

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/s/ Lindsey Wharton